

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

_____)	
BLUE HILLS OFFICE PARK LLC,)	
Plaintiff/Defendant-in-)	
Counterclaim)	
)	
v.)	Civil Action No. 05-CV-10506 (WGY)
)	
CREDIT SUISSE FIRST BOSTON)	
MORTGAGE SECURITIES CORP.,)	
Defendant.)	
)	
and)	
)	
CSFB 1999 – C1 ROYALL STREET, LLC)	
Defendant/Plaintiff-in-)	
Counterclaim)	
)	
and)	
)	
WILLIAM LANGELIER and GERALD)	
FINEBERG,)	
Defendants-in-Counterclaim)	
_____)	

REVISED LOCAL RULE 16.1(D) JOINT STATEMENT

Pursuant to Federal R. Civ. P. 16, Local Rule 16.1, Fed.R.Civ.P. 26(f) and Local Rule 26.1, the parties, having conferred as required by Local Rule 16.1(B), hereby submit this revised Local Rule 16.1(D) Joint Statement for the Court's consideration.

I. AGENDA FOR SCHEDULING CONFERENCE

The parties propose that the pre-trial matters set forth herein be discussed during the scheduling conference.

II. INITIAL DISCLOSURE - RULE 26(a)(1) and LOCAL RULE 26.2

The parties have agreed that they will exchange required automatic disclosures pursuant to Fed. R. Civ. P. 26(a)(1) on or before August 31, 2005. At this stage, the parties believe that they may benefit from phased discovery with the opportunity for mediation after limited discovery has been completed during the initial discovery phase.

III. ALTERNATIVE DISPUTE RESOLUTION

The parties are willing to engage in mediation at the conclusion of the initial discovery phase.

IV. PROPOSED PRE-TRIAL SCHEDULE

A proposed pre-trial schedule, including a joint discovery plan and proposed schedule for the filing of motions, is as follows:

A. Initial Discovery Phase

EVENT	COMPLETION DATE
<ul style="list-style-type: none"> Service of Initial interrogatories (not more than 15), initial document requests and initial requests for admission (not more than 15). 	September 15, 2005
<ul style="list-style-type: none"> Initial depositions (no more than 3 per each side of the versus) to be completed. 	December 2, 2005

B. Mediation Phase

Non-binding mediation shall be completed by January 16, 2005. Mediation statements shall be exchanged by the parties and submitted to the mediator not less than 10 days prior to the scheduled date of mediation. Parties are free to also submit confidential statements to the mediator as well.

C. Final Discovery Phase

EVENT	COMPLETION DATE
<ul style="list-style-type: none"> Additional interrogatories (not more than additional 30), requests for admission (not than additional 30) and additional document requests served. 	January 30, 2006
<ul style="list-style-type: none"> All fact discovery including all non-expert depositions to be completed. 	March 17, 2006
<ul style="list-style-type: none"> Expert disclosures pursuant to Fed. R. Civ. 26(a)(2) to be completed. 	March 31, 2006
<ul style="list-style-type: none"> Expert depositions completed 	April 21, 2006
<ul style="list-style-type: none"> Dispositive motions filed. 	May 17, 2006
<ul style="list-style-type: none"> Pretrial disclosures pursuant to Fed. R. Civ. P. 26(a)(3) completed. 	August 25, 2006
<ul style="list-style-type: none"> Final pretrial conference. 	September 1, 2006
<ul style="list-style-type: none"> Trial. 	September 29, 2006

All dates set forth herein may be modified by written agreement of the parties and approval of the Court, or upon motion for good cause shown.

V. MAGISTRATE JUDGE

The parties do not consent to trial by magistrate judge at this time.

VI. OTHER MATTERS.

- Discovery Limits

Except as provided above, the parties accept the discovery event limits set forth in the Local Rules.

- Certification of Counsel and Parties Pursuant to LR 16.1(D)(3)

The parties and their counsel will file separate certifications in accordance with Local Rule 16.1(D)(3).

Respectfully submitted,

Plaintiff
BLUE HILLS OFFICE PARK
By its attorneys,

Defendants
CREDIT SUISSE FIRST BOSTON
MORTGAGE SECURITIES CORP., and
CSFB 1999 – C1 ROYALL STREET, LLC
By its attorneys,

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Dated: July 26, 2005

CERTIFICATE OF SERVICE

I, Peter McGlynn, hereby certify that, this 26th day of July 2005, the **Revised Local Rule 16.1(D) Joint Statement** was served upon all parties entitled to notice via electronic notice.

/s/ Peter B. McGlynn
Peter McGlynn

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